

REMARKS

The applicant notes with appreciation the acknowledgement of the claim for priority under section 119 and the notice that all of the certified copies of the priority documents have been received.

The applicant acknowledges and appreciates receiving an initialed copy of the form PTO-1449 that was filed on March 23, 2004.

Claims 5 – 7 and 19 are pending. Claims 1 – 4 and withdrawn claims 8 – 18 have been canceled. The applicant respectfully requests reconsideration and allowance of this application in view of the above amendments and the following remarks.

Claims 1, 3 and 4 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 6,316,840, Otani (“’840”). Claim 2 was rejected under 35 USC 103(a) as being unpatentable over ‘840 in view of U.S. Patent Publication No. 2003/0047804, Otani (“’804”) Claims 1 – 4 have been canceled, rendering the rejections moot.

On page 5 of the office action, dependent claims 5 – 7 were objected to, but indicated as being allowable if rewritten in independent form. Claim 5 has been re-written in independent form to include claims 1, 3 and 4, and it is respectfully submitted that claim 5 as rewritten is allowable. Claims 1, 3 and 4 were canceled. In view of the above, the applicant submits that the claims are patentable.

The applicant has rewritten claim 5 in independent form since the office action indicated that claims 5 – 7 would be allowable if so re-written. However, the applicant does not concede that other features in the claims are found in the prior art.

The applicant states that the claims have been amended to expedite prosecution. Further, the applicant reserves the right to pursue the original subject matter in a continuation application.

Any amendment to the claims is not to be construed as a surrender of any subject matter between the original claims and the present claims; rather this is merely an attempt at providing one or more definitions of what the applicant believes to be suitable patent protection. In addition, the present claims provide the intended scope of protection that the applicant is seeking for this application. Therefore, no estoppel should be presumed, and the applicant's claims are intended to include a scope of protection under the Doctrine of Equivalents.

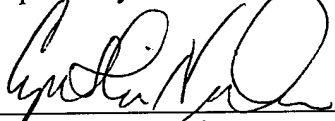
For all the reasons advanced above, the applicant respectfully submits that the claims as amended are allowable.

New claim 19 includes language similar to claims 1 and 3 – 5. Support for the new claim can also be located in the specification, for example, beginning on page 5, line 11.

In view of the foregoing, the applicant respectfully submits that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,


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